



U.S. Department of Housing and Urban
Development

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**Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: 1059 Willamette Project

Responsible Entity: City of Eugene

Grant Recipient: City of Eugene

State/Local Identifier: B-19-MC-41-0001

Preparer: Jackie M. Dowell, Environmental Review Analyst

Certifying Officer

Name and Title: Denny Braud, Planning & Development Dept. Director

Consultant (if applicable): N/A

Direct Comments to: Jackie M. Dowell, (541) 682-5447

Project Location: 1059 Willamette Street, Eugene, Oregon 97402; Map/Tax Lot: 17-03-31-14-12800

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The City of Eugene (COE) proposes to acquire the subject property using federal funds for redevelopment into a residential development for low and moderate-income households with first floor commercial. Because the project is currently in the land acquisition stage, the specific details of the redevelopment have not yet been determined. Redevelopment plans could include demolition of the existing building and construction of a new four to seven story building. The site consists of one 0.42 acre parcel of land in downtown Eugene and the building is vacant.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

Over 42 percent of people in Eugene have a household income under \$35,000 according to the US Census Bureau. There is a deficit of units affordable to households in this income range. The Oregon Housing and Community Services Needs vs. Inventory summary shows that there is a 2,400-unit shortage of affordable housing units in Lane County. The subject property is in a convenient location that will benefit moderate-income households. Eugene has a history of offering appropriate, development-ready properties for construction of affordable housing. The proposed site would support up to 150 units of affordable housing, which would help many households earning 80% or less of area median income to obtain affordable housing.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The existing building was built in 1930. It has been vacant for several years and is owned by Lane Community College (LCC). The structure is a two story building with a full basement. The building most recently operated as the LCC Downtown Campus building and was vacated in 2013 when LCC opened its new Downtown Campus. The property is zoned (C-3) Major Commercial and allows a maximum height of up to 150 feet. The

site consists of one 0.42 acre parcel of land. Currently there is no specific site plan, but the hypothetical plan is new construction or substantial rehabilitation for a combination of non-residential use on the ground floor and up to 150 units of affordable housing on the proposed additional floors. Directly to the west of the subject site is the Lane Transit District (LTD) Downtown Eugene Station which opened in 1998. The subject site has major streets to the south and to the east. Placement of affordable housing in the downtown area allows people to live near goods and services with increased opportunities for alternative modes of transportation and a safe, attractive, functional pedestrian circulation system. Infrastructure systems are already in place; however, the stormwater system may need to be redesigned or altered depending on whether or not there will be any change in the building footprint and/or increase in impervious surface.

Funding Information

Grant Number	HUD Program	Funding Amount
B-19-MC-41-0001	CDBG	\$500,000.00

Estimated Total HUD Funded Amount:

\$500,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

\$25,000,000.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The subject property is not located within 15,000 feet of a military airport, within 2,500 feet of a civilian airport or in an Airport Clear Zone. Please see the attached map in Section A.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Eugene is outside of the Coastal Zone. Source: Oregon Department of Land Conservation and Development. Please see the attached checklist and map in Section B.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The FEMA flood map for the area is number 41039C1137F, effective on 06/02/1999. This map shows that the property is not located within a flood plain. Please see the attached checklist and map in Section C.

Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to Lane Regional Air Protection Agency, the Eugene-Springfield area was designated as "attainment" for PM10 with all National Ambient Air Quality Standards (NAAQS) in June 2013. Please see the consultation letter from the Lane Regional Air Protection Agency (LRAPA) in Section B.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Eugene is outside of the Coastal Zone. Source: Oregon Department of Land Conservation and Development. Please see the attached checklist and map in Section B.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>A Phase I environmental site assessment (ESA) was performed by Stantec Consulting Services for the proposed project site and surrounding area. The Phase I was conducted in conformance with the requirements of ASTM International (ASTM) E 1527-13, the EPA, All Appropriate Inquiries (AAI) Final Rule (40 CFR 312), the City of Eugene brownfield community-wide assessment cooperative agreement with the EPA (BF-01J40201) and the HUD Standards (24 CFR 58.5(i).</p> <p>This assessment revealed no evidence of Recognized Environmental Conditions (RECs).</p> <p>The Focused Regulated Building Materials Survey recommendations:</p> <p>Asbestos-Containing Materials (ACM): OR OSHA requires that employers implement specific work practices to protect workers from airborne asbestos exposure, and that ACMs be removed by a licensed abatement contractor prior to any demolition or renovation activities. It is also recommended that a third-party consultant independent from the abatement contractor be retained to monitor abatement activities and provide final remediation clearance testing as appropriate during the renovation of the property in accordance with all applicable laws and regulations.</p> <p>Lead Based Paint: All paint in the rooms limited to the scope of the limited RBM survey appeared in good condition, therefore no paint samples were collected.</p> <p>Hazardous Materials: Light ballasts that may contain Polychlorinated Biphenyls (PCB) containing oil/ and fluorescent light bulbs that may contain mercury must be handled and disposed of in accordance with applicable EPA regulations.</p> <p>Please see the attached maps, materials, and Phase I and Focused Regulated Building Materials Survey in Section D.</p>
Endangered Species	Yes No	The development site is currently a vacant Commercial building in Downtown Eugene.

<p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Staff participated in a conference call with HUD, US Fish and Wildlife Services (FWS) and National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries) coordinated by the Portland HUD field office on November 12, 2019. The project proposal may overlap with Endangered Species Act (ESA)-listed species or designated critical habitat covered by FWS and NOAA Fisheries. FWS provided the proposed project with a No Effect determination because there are not likely to be any federally-listed species or candidate species under the jurisdiction of the US Fish and Wildlife Service that could be affected by the project. The proposed project is not limited to activities in Table A of the ESA Guidance for Oregon, and therefore a consultation with NOAA Fisheries was required. A Section 7 consultation was submitted to NOAA Fisheries December 5, 2019.</p> <p>The soils and size of the site do not allow for total infiltration of storm water. The site consists of Malabon that drains poorly. If the project is for rehabilitation that will not increase post-construction run off, there will be No Effect to endangered species. If the proposed project is for demolition and new construction of a multi-story residential building, a stormwater system will be designed to meet the requirements of the HUD-NMFS-FWS Programmatic Agreement through Section 7. The proposed stormwater plan offers two options. In the planter option, the stormwater will either pass through the Growing Medium into a detention tank or bypass the soil by flowing into the grated overflow inlets during larger rain events. In the StormFilter option, water would be held in a detention tank and then released to a StormFilter media cartridge system for treatment. If there are to be changes to the approved plan, an equivalent stormwater plan would be submitted to NMFS through a new Section 7 consultation.</p> <p>On March 16, 2020, NOAA Fisheries provided a concurrence e-mail that concluded that the project was Likely to Adversely Affect ESA-listed species, designated critical habitat, and essential fish habitat through the construction of impervious surface area generating stormwater runoff. NMFS also concluded that the proposed action is consistent with the HUD Stormwater Programmatic Biological Opinion.</p> <p>The proposed plan was determined to be consistent with the Endangered Species Act Guidance for Oregon. Section E.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Oregon State Fire Marshall's Office identified a tank at 112 E. 10th Avenue (CenturyLink). The information from the Fire Marshall's Office indicated that the tank was located at the building exterior. CenturyLink responded to our inquiry stating that the diesel tank is a steel underground storage tank (UST) located under the East 10th Avenue</p>

		sidewalk. Because this tank is underground, it is determined that it poses no risk to the proposed project. Please see the attached maps and materials in section F.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is within the City of Eugene Urban Growth Boundary. The US Census Bureau recognizes the area as Urbanized Area, which is not farmland, and does not convert farmland to a non-agricultural use. The Farmland Protection Act does not apply. Please see the checklist and maps in Section B.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The FEMA flood map for the area is number 41039C1137F, effective on 06/02/1999. This map shows that the property is not located within a flood plain. Please see the attached checklist and map in Section C.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The subject property is located at 1059 Willamette Street in downtown Eugene. The site is the former Lane Community College downtown center as well as a former Montgomery Ward store, built in 1951. The City of Eugene proposes to acquire the 0.42 acre site and then award the site to the successful non-profit agency candidate to build a low and moderate income housing complex with a nonresidential use on the ground floor.</p> <p>The proposed development site is a flat with an existing two-story building and full basement located at 1059 Willamette Street in downtown Eugene.</p> <p>A SHPO Clearance Review request for the built environment was submitted to the SHPO November 21, 2019 with photos and information about historic uses, and request for SHPO Archeological Review was submitted on December 10, 2019.</p> <p>In the letter dated December 17, 2019, SHPO responded stating that because the proposed undertaking is still undetermined that the SHPO cannot concur with the City Finding of No Effect and that the APE cannot be defined nor the effect on historic properties on the APE be determined until the future plans for the subject site is determined. The SHPO further stated that they have no concerns about the City moving forward with plans for acquisition of the property as long as the City will commit to continued consultation regarding future development plans of the site. The City will comply with this request.</p> <p>The archaeological review from the SHPO dated December 18, 2019 stated that due to the undetermined future plans for the site, it is difficult to determine how historic properties in the project area may be affected. In the event that the City obtains an approved development proposal, SHPO further recommends that an archeological monitor be present on site and has directed the City to consider all ground disturbing activities that may include, but is not limited to demolition of the existing building, structures, and</p>

		<p>associated utilities; staging areas, access road improvements, new construction, utility installation corridors, etc. to avoid damage to any archaeological sites in the area of the subject site. Having an archaeological monitor on site will ensure that if an archaeological site is discovered during ground disturbing activities, all work can cease without serious disturbance of the discovered site. If any archeological object or feature is encountered, work is to stop and SHPO requests to be notified.</p> <p>The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (CTCLUSI) deferred comment to the other tribes as the proposed project is outside of CTCLUSI's Ancestral Territory.</p> <p>The Coquille Tribale deferred comment to the other tribes but asked to be kept informed of significant archaeological findings, which may include ancestral human remains or funerary items. In the event that ancestral remains are observed or disturbed, the tribe requests that the City following State Guidelines. If proposed mitigation measures are developed for cultural resources in the Project area, the tribe would like to have the opportunity to comment.</p> <p>The Confederated Tribes of Grand Ronde Community of Oregon stated that if the project is confirmed to include demolition and new construction, they recommend that any ground disturbing demolition work be monitored by a qualified archaeologist, that a cultural resource inventory be undertaken prior to non-demolition related ground disturbances, and that the said study includes subsurface testing where possible. The tribe also requests that a detailed Inadvertent Discovery Plan (IDP) be in place, and if archaeological and/or cultural resources are discovered during the project, that we be contacted immediately by phone.</p> <p>SHPO has no concerns regarding the acquisition of the property located at 1059 Willamette Street.</p> <p>The City is committed to continued consultation with the SHPO and consulting parties for the future development of the subject property, including design of any new construction to make sure that it is compatible with any historic properties located within the APE. The City will seek a determination of Effect at a later date.</p> <p>Section G.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are three major roadways within 1000 feet of this site. Two are a major collectors and the other is a local road, but it also an entrance/exit for the Lane Transit District Downtown Station. There are four railroad activities within 3000 feet of the site. Analysis of four Noise Assessment Locations (NALs) has been completed using the HUD</p>

		<p>Day/Night Noise Level Electronic Assessment Tool with the following results:</p> <p>NAL 1 – 72.6 NAL 2 – 71.7 NAL 3 – 67.2 NAL 4 – 74.85 (if built 38 feet from the center line of 11th Avenue</p> <p>The site is located 8 miles SE of the Eugene Municipal Airport and is several miles outside of the 55 DNL contour. There are no military airports within 15 miles of the subject site nor are there supersonic aircraft activities.</p> <p>The proposed project is located in downtown Eugene with a concentration of activity. The noise calculation is in the Normally Unacceptable Range.</p> <p>According to 24 CFR 51.105(a), the circumstances were met by the proposed project for the Certifying Officer to shift the Acceptable range for noise to 70 decibels. Mitigation using construction techniques, building placement and/or barriers will be required to achieve interior noise levels of 45dB.</p> <p>A plan for noise mitigation must be approved prior to starting construction. Please see the noise assessment and supporting materials in Section H.</p>
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Eugene is not located near a sole source aquifer. Source: EPA 2013. Please see the attached checklist and map in Section B.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	According to the National Wetlands Inventory, the project site is not located within or near a wetland area. Section I.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>There are no Wild and Scenic Rivers, Study Rivers or Potentially Eligible Rivers on the NRI in the Eugene area. Source: National Wild and Scenic Rivers Website @https://www.rivers.gov/, Nationwide Rivers Inventory (NRI) Rivers @ https://www.nps.gov/subjects/rivers/nationwide-rivers-inventory.htm, Rivers Currently Under Study @ https://www.rivers.gov/study.php and NRI for river segments believed to possess one or more “outstanding remarkable” values @ https://www.nps.gov/maps/full.html?mapId=8adbe798-0d7e-40fb-bd48-225513d64977 . The proposed project is in compliance with the Wild and Scenic Rivers Act. Section B.</p>
ENVIRONMENTAL JUSTICE		

Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project involves possible construction of a new affordable housing complex. There are no unmitigated adverse environmental impacts identified in any other compliance review portion of this project's total review. The proposed site is suitable for its proposed use and will not have a disproportionate environmental impact on low income or minority populations. Section J
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	<p>The City of Eugene Zoning Verification shows that the proposed use of the site is consistent with C-3 Major Commercial zoning and the Comprehensive Plan. The proposed project also supports Envision Eugene, the City's long-range vision for the community. Please see the zoning verification in Section L.</p> <p>The proposed project is a low to moderate income housing complex for up to 150 units.</p> <p>The site is located at the corner of 11th Avenue and Willamette Street directly across the street from the Lane Transit District Downtown Station. The subject site is in close proximity to the Parks Blocks, the Eugene Public Library, the Lane Transit District Downtown Station, a fire station, Lane Community College Downtown Campus, Pacific University and many other amenities. Within approximately a mile is the Hult Center, Peace Health Sacred Heart Medical Center, the 5th Street Market, three supermarkets, the University of Oregon, NW Christian University, banks, medical offices and a wide variety of restaurants, shops, and commercial businesses.</p> <p>The proposed development will provide needed moderate income housing units for the target population. Please see maps and photos in Section A.</p>

Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	<p>The subject Property is generally flat.</p> <p>The Property is located within the Willamette Valley, a 150 mile long alluvial plain extended from Eugene north to Portland. Surficial geology in the Willamette Valley is dominated by Quaternary Alluvium. In the Eugene area, Quaternary Alluvium (Qfd) is generally underlain by sandstones and siltstones of the Eocene to Oligocene Eugene Formation.</p> <p>The site is within the City of Eugene Polk Basin, which is part of the larger Willamette River Basin. The site generally slopes from the north to the south with Malabon-Urban land complex%100 which has a hydrologic soil rating of C and D and allows almost no infiltration.</p> <p>Section M.</p>
Hazards and Nuisances including Site Safety and Noise	2	<p>Please see the analysis of hazardous materials in Sections D and F.</p> <p>Noise The residential development will not cause any hazards for the surrounding area. The residential use of the property would not impact noise levels beyond the normal level associated with residential uses.</p> <p>Section H.</p>
Energy Consumption	2	Direct energy consumption (heating, cooling, hot water) associated with the housing are within range of normal residential use.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The first floor of the proposed development will be a non-residential use or commercial that will potentially add jobs for the neighborhood. The construction will create temporary jobs for contractors, architects, etc. The new development may create long term employment opportunities associated with multi-family housing for property with management and resident services coordinators. There are employment opportunities for new residents throughout the downtown area and within the Metropolitan area and surrounding towns and cities.
Demographic Character Changes, Displacement	2	<p>The site is surrounded by other commercial, public and private properties. The demographics of the households are expected to be similar to surrounding properties.</p> <p>If the proposed site becomes a low/mod housing development, the existing structure will be transformed from unused, rundown, dated building to an attractive home for a targeted population in the City's active downtown core.</p> <p>The proposed project site is a vacant commercial building. There will be no displacement as a result of the project.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		

Educational and Cultural Facilities	2	The site is within the Eugene 4J School District. The following schools are designated to serve the area: Edison Elementary School is located 1.9 mile away, Roosevelt Middle School is 1.4 mile away by foot and 1.2 miles away by car and South Eugene High School approximately 1 mile away near the Eugene Family YMCA and the Amazon City swimming pool. Lane Community College Main Campus is about 5 miles away and University of Oregon is 1 ½ miles away. The Eugene Public Library and the Lane Community College Downtown Campus is a block and half to the west. Also in downtown Eugene is the Hult Center for the performing arts, The Shedd Institute for the Arts located in the historic former First Baptist Church and the historic McDonald Theater. There are numerous museums in the Eugene/Springfield area. Multiple child care centers are within two miles of the site.
Commercial Facilities	2	Commercial facilities are located near the site including supermarkets, convenience stores, retail, ATMs and banking.
Health Care and Social Services	2	<p>There are many medical offices throughout the Eugene and Metropolitan area. Medical services, including an emergency room, are available approximately 0.7 miles away at PeaceHealth Sacred Heart Medical Center in Eugene. An Urgent Care is located near 13th Street and Patterson near Downtown Eugene about 0.7 miles away. Full emergency and medical services are located about 7 ½ miles away at McKenzie-Willamette Medical Center and about 7 miles away at River Bend Hospital both of which are located in the City of Springfield.</p> <p>A wide range of social services are offered through Lane County and other public and private agencies in Eugene.</p>
Solid Waste Disposal / Recycling	2	Curbside pickup of solid waste and recyclables is offered throughout the area.
Waste Water / Sanitary Sewers	2	Sanitary sewer services are provided by the City of Eugene.
Water Supply	2	Water service is provided by Eugene Water and Electric Board.
Public Safety - Police, Fire and Emergency Medical	2	Police protection is provided in the area by the Eugene Police Department. Fire protection is provided in the area by Eugene Springfield Fire. Emergency medical care is provided by Eugene-Springfield Fire. Full service emergency medical care is located approximately 7 ½ miles away at McKenzie-Willamette Medical Center and approximately 7 miles away at River Bend Hospital in Springfield. Medical services, including an emergency room, are available approximately 0.7 miles away at PeaceHealth Sacred Heart Medical Center in Eugene. An Urgent Care is located near 13 th Avenue and Patterson Street near downtown Eugene just over a half mile away.
Parks, Open Space and Recreation	2	Near the site are many parks including City Park Blocks 0.3 mile away where during the spring/summer is the Tuesday Farmers Market and Spring/Fall the Saturday Market. Skinner Butte Park is less than 1 mile away and is popular for hiking, rock climbing, picnicking among other various amenities. It is also the home of the University of Oregon's Big "O". Also nearby is the 370 acre Alton Baker Park and home of the Cuthbert Amphitheater located along the Willamette River. The Washington/Jefferson Park is 2.3 miles away and connects to the Owen Rose Garden to the north of the Washington/Jefferson Park along the Willamette River. Additionally, there is a 4 mile bike path that travels through the Washington/Jefferson Park to the Owen Rose Garden along the

		Willamette River. Monroe Park, Jefferson Park, Charnel Mulligan Park and Washington Park are all about ½ mile away. Washington Park is also a community center. The subject site is in close proximity to the Eugene Public Library and various downtown art galleries, the Hult Center with free outdoor performances, a number of theaters including the historic McDonald Theater, and Shedd Institute for the Arts.
Transportation and Accessibility	2	The Lane Transit District (LTD) Downtown Station is directly across the street from the subject site. The LTD is a public agency that provides public transportation in Lane County. The transit district serves the Eugene and Springfield metropolitan areas, including the neighboring cities of Coburg, Junction City, Creswell, Cottage Grove, Veneta, and Lowell. LTD offers bus service and Bus Rapid Transit. The League of American Bicyclists certified Eugene/Springfield is a Gold Level Bicycle Friendly Community and has bike lanes, bike boulevards and a off-street trail network. The City is also in partnership with LTD and the University of Oregon to offer Eugene Bike Share, a network of bike share stations, where users can pick up and drop off publicly available bicycles for one-way trips across the city.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	No groundwater will be used as a drinking water source for the project, nor will septic systems be used.
Vegetation, Wildlife	2	The wildlife on this property is typical of an urban environment. The site is developed with an existing commercial building and is surrounded by developed properties.
Other Factors		

Additional Studies Performed:

Phase I Environmental Site Assessment, Stantec Consulting Services
Phase II Environmental Site Assessment, Stantec Consulting Services
Focused Regulated Building Materials Survey, Stantec Consulting Services
Historic Façade Materials Assessment Findings Report, Balance Architecture and Pioneer Waterproofing

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Anne Fifield, City of Eugene Economic Development Planner

Tracy Schwartz, State Historic Preservation Office
Shane James, State Historic Preservation Office
Shannon Sardell, Historic Preservation Consultant

Matt Keenan, KPFF Consulting Engineers

Brad Rawls, NOAA Fisheries
Cat Brown – Fish and Wildlife Service

Stacy Scott, Tribal Historic Preservation Office, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians of Oregon
David Harrelson, Tribal Historic Preservation Office, Confederated Tribes of Grand Ronde
Robert Brunoe, Tribal Historic Preservation Office, Confederated Tribes of the Warm Springs Reservation of Oregon

Kassandra Rippee, Tribal Historic Preservation Office, Coquille Tribe of Oregon
Dan Kourtney, Tribal Historic Preservation Office, Cow Creek Band of Umpqua Tribe of Indians
Delores Pigsley, Tribal Historic Preservation Office, Confederated Tribes of Siletz Indians

Stantec Consulting Services

Matt Denberg, City of Eugene Land Use Planning

List of Permits Obtained: N/A

Public Outreach [24 CFR 50.23 & 58.43]: N/A

Cumulative Impact Analysis [24 CFR 58.32]:

All activities involved in the proposed project were aggregated into the analysis. The project site is 0.42 acre site located in Eugene, Oregon. The proposed project is acquisition of the subject property using federal funds for redevelopment into a residential development for low and moderate-income households with first floor commercial and is located near supermarkets, public transit, schools and other services. A stormwater plan has been designed to treat runoff; however, if there are any changes to the approved plan, an equivalent plan will be submitted through a new Section 7 consultation.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

The City of Eugene is committed to increasing affordable, decent, safe and sanitary housing in downtown Eugene. The availability of the subject site provided an opportunity to develop affordable housing in the downtown core. Entering into an option agreement with Lane Community College enables acquisition of a site at a price that will provide financial incentives related to the future development of the subject site. If federal funds could not be used on the proposed project site, the project may cease to be cost feasible and may not move forward.

Noise attenuation will result in a setback of the proposed building's south elevation facing 11th Avenue where noise is above the acceptable level. According to 24 CFR 51.105(a), the circumstances were met by the proposed project for the Certifying Officer to shift the Acceptable range for noise to 70 decibels. Mitigation using construction techniques, building placement and/or barriers will be required to achieve interior noise levels of 45dB.

The approved stormwater system will consist of a planter option or a StormFilter option and will be subject to a new Section 7 review if there are any changes to the plan.

No Action Alternative [24 CFR 58.40(e)]:

The City of Eugene determined that the no action alternative is not possible. This is due to the need to provide affordable housing for low and moderate income households. Over 42 percent of people in Eugene have a household income under \$35,000 according to the US Census Bureau. There is a deficit of units affordable to households in this income range. Additionally, over 45 percent of all households in Eugene are cost burdened, paying more than 30 percent of their income for housing. The Oregon Housing and Community Services Needs vs. Inventory summary showed there is a 2,400 unit shortage for Lane County to be served with affordable units.

The subject site in downtown Eugene has been vacant since about 2013 when the new LCC campus was opened. The 66,00 square foot facility has two floors with a full basement. The goal is to transform the site into an active use that will contribute to downtown vitality, economic prosperity and potential development of affordable workforce housing. The area is a good location near employment and commercial opportunities and transportation options.

Summary of Findings and Conclusions:

The site is ideally located for the target population and is in compliance with the Comprehensive Plan. The construction of low and moderate-income housing will greatly benefit this population and would implement the housing goals of the Eugene Springfield Consolidated Plan.

Compliance with the City of Eugene's development code and standards is mandatory and will assure compatibility with the surrounding area. In addition to the City of Eugene's stormwater standards, the proposed project would be required to implement the storm water plan approved by NFMS.

Noise levels were at an Unacceptable level, requiring a Noise Waiver from the Certifying Officer. According to 24 CFR 51.105(a), the circumstances were met by the proposed project for the Certifying Officer to shift the Acceptable range for noise to 70 decibels. Mitigation using construction techniques, building placement and/or barriers will be required to achieve interior noise levels of 45dB. Noise attenuation will also result in a setback of the proposed building's south elevation facing 11th Avenue where noise is above the acceptable level.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
Conformance with Plans	Project must comply with all City of Eugene, State of Oregon and Federal requirements.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Asbestos-Containing Materials (ACM): OR OSHA requires employers implement specific work practices to protect workers from airborne asbestos exposure, and that ACMs be removed by a licensed abatement contractor prior to any demolition or renovation activities. It is also recommended that a third-party consultant independent from the abatement contractor be retained to monitor abatement activities and provide final remediation clearance testing as appropriate during the renovation of the property in accordance with all applicable laws and regulations. Lead Based Paint: All paint in the rooms limited to the scope of the limited RBM survey appeared in good condition, therefore no paint samples were collected. Hazardous Materials: Light ballasts that may contain Polychlorinated Biphenyls (PCB) containing oil/ and fluorescent light bulbs that may contain mercury must be handled and disposed of in accordance with applicable EPA regulations.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	NOAA Fisheries requires that the developers follow the approved storm water plan, including the reporting form after construction is complete. The developer will not use the following prohibited materials: <ul style="list-style-type: none">• Galvanized metal, including galvanized aluminum, zinc, iron, or steel• Copper• Zinc• Sheet metal

	<ul style="list-style-type: none"> Built-up commercial & industrial roofs (BUR), or any similar product that is comprised primarily of layered asphalt, tar, or other bituminous products <p>Composite or asphalt roofing shingles are allowed. Galvanized metals may be used for elements of roofing and siding (e.g., flashing, screws or fasteners, gutters), but does not allow galvanized roofing panels or siding. Galvanized roofing components, such as gutters and flashing, must be sealed, coated, or painted so that metal contaminants will not leach into runoff.</p> <p>All waste materials must be recycled or otherwise disposed of in an EPA approved sanitary or hazardous waste disposal site.</p>
Noise Attenuation and Control 24 CFR 51 Subpart B	<p>Noise attenuation will result in a setback of the proposed building's south elevation facing 11th Avenue where noise is above the acceptable level. According to 24 CFR 51.105(a), the circumstances were met by the proposed project for the Certifying Officer to shift the Acceptable range for noise to 70 decibels. Mitigation using construction techniques, building placement and/or barriers will be required to achieve interior noise levels of 45dB. Noise attenuation will also result in a setback of the proposed building's south elevation facing 11th Avenue where noise is above the acceptable level. The developers will be required to submit a noise mitigation plan that must be approved prior to the start of construction.</p>

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: _____

Date: _____

Name/Title/Organization: **Jackie M. Dowell, Environmental Review Analyst, City of Eugene**

Reviewer Signature: _____

Date: _____

Name/Title/Organization: **Stephanie Jennings, Grants Manager, City of Eugene**

Certifying Officer Signature: _____

Date: _____

Name/Title: **Denny Braud, Planning & Development Department Director, City of Eugene**

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



MEMORANDUM

City of Eugene
99 W. 10th Avenue
Eugene, Oregon 97401
(541) 682-5443
(541) 682-5572 FAX
www.eugene-or.gov

Date: March 18, 2020

To: 1059 Willamette Street Environmental Review Record File

From: Denny Braud, Planning and Development Director

Subject: Environmental Assessment for Acceptable Noise Level Increase to 70 decibels at 1059 Willamette Street

In the Noise Analysis for federal Environmental Review, 65 decibels (dB) is categorized as the Acceptable noise range for noise sensitive uses such as housing. The range of 65 dB – 75 dB is categorized as Normally Unacceptable, but mitigation can be performed to reduce noise levels to an acceptable level. As indicated in federal regulations 24 CFR 51.105(a), the Acceptable range for noise levels may be shifted to 70 dB in certain circumstances.

1059 Willamette Street is located in downtown Eugene near several major roads and the railroad. The location is beneficial for its proximity to employment, transportation options, public facilities, and services. With the Quiet Zone in effect, the Noise Assessment Locations (NALs) on the north side of the proposed building showed noise levels at 71.7 dB and 66.5 dB. On the south side, facing 11th Avenue, the NALs showed noise levels at 72.6 dB and 74.9 dB. Noise would be mitigated throughout the building to achieve interior noise levels of 45 dB.

Additionally, the proposed project could potentially include an outdoor terrace similar to other multi-family housing in the downtown area, but for that to be an acceptable outdoor use, the proposed project would need to meet the circumstances to shift the Acceptable range to 70 dB. Also, any outdoor use could be located near the southeast corner of the site where the noise level is well below 70 db. Below is the analysis of circumstances in 24 CFR 51.105(a) related to the proposed project:

(a)Flexibility for non-acoustic benefits. Where it is determined that program objectives cannot be achieved on sites meeting the acceptability standard of 65 decibels, the Acceptable Zone may be shifted to Ldn 70 on a case-by-case basis if all the following conditions are satisfied:

- (1) The project does not require an Environmental Impact Statement under provisions of § 51.104(b)(1) and noise is the only environmental issue.**

1059 Willamette Street will not be required to have an Environmental Impact Statement, and noise is the only issue which requires mitigation.

- (2) The project has received a Special Environmental Clearance and has received the concurrence of the Environmental Clearance Officer.**

The Environmental Assessment is complete. The purpose of this memo is to be evidence of concurrence from the Certifying Officer for the City of Eugene.

- (3) The project meets other program goals to provide housing in proximity to employment, public facilities and transportation.**

The location of the proposed project in downtown Eugene is beneficial for future residents for its proximity to employment, public transportation, alternative transportation options, public facilities, and services.

- (4) The project is in conformance with local goals and maintains the character of the neighborhood.**

The proposed project meets the zoning requirements and maintains the character of the downtown neighborhood. The project would enhance local goals of increased housing in the downtown, improve the vibrancy of downtown by developing an under-utilized property, and by increasing the supply of affordable housing.

- (5) The project sponsor has set forth reasons, acceptable to HUD, as to why the noise attenuation measures that would normally be required for new construction in the Ldn 65 to Ldn 70 zone cannot be met.**

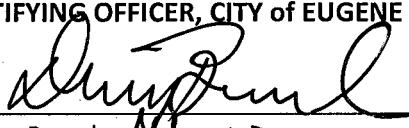
The location of the proposed project is in downtown Eugene. Because of the size of the property, the site is limited as to architectural barriers and placement of the building. The site is surrounded by major roads, so that the noise sources are compounded. The noise attenuation for the interior of housing units will reduced noise to 45 dB. Any outdoor terrace or other outdoor use would be required to meet an exterior noise level of 70 dB. The proposed terrace would be an asset to residents.

- (6) Other sites which are not exposed to noise above Ldn 65 and which meet program objectives are generally not available.**

The property is owned by Lane Community College (LCC). LCC entered into an option with the City because the City seeks to use the site for affordable housing. In addition, downtown is a desirable location for housing, as long as noise sensitive uses achieve acceptable interior noise levels.

According to 24 CFR 51.105(a), the circumstances have been met by the proposed project and the Acceptable range for noise may be shifted to 70 decibels.

CERTIFYING OFFICER, CITY of EUGENE


Denny Braud
Planning and Development Director AIC
Certifying Officer, City of Eugene



NAL 3
66.5

NAL 4
74.85 - 38 foot
setback from 11th center line

NAL 4
75.4 - Building corner
34 feet from 11th center line

NAL 2
71.7

NAL 1
72.6

